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4002-006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DYNEX TECHNOLOGIES INC.

Serial No. 09/762,163

Filed: March 9, 2001

For: AUTOMATED IMMUNOASSAY APPARATUS WITH FLEXIBLE PICK-UP ARM

Group Art Unit:

Examiner:

REQUEST FOR RECONSIDERATION

Honorable Commissioner of  
Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant was notified in a letter of August 1, 2006, a large entity fee was due in the above case. Upon checking PCT application identified as PCT/GB99/02425 was apparently filed by Dynatech Technologies Inc. which is the parent company of Dynex Technologies (Guernsey) Ltd. Apparently the Guernsey Company owns the British patent and Dynatech Technologies Inc. owns the PCT case. In any event Dynatech Technologies Inc. has only about forty (40) employees and the Guernsey Company has four (4). Therefore both companies are small entities, and no extra fees are due.

Respectfully submitted,

*Donald C. Casey*  
Donald C. Casey  
Registration No. 24,022

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Suite 100  
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(703) 548-2131 DCC:nwl  
Date: August 21, 2006

**Certificate of Mailing**

I hereby certify that this correspondence is  
being deposited with the United States Postal Service as  
first class mail in an envelope addressed to: Commissioner  
of Patents and Trademarks, Washington, D.C. 20231

*August 21, 2006*  
*DW Rawalt*



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/762,163	Jon Bott	4002-006

INTERNATIONAL APPLICATION NO.
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PCT/GB99/02425

I.A. FILING DATE	PRIORITY DATE
07/23/1999	08/04/1998

Donald C Casey  
 311 North Washington Street Suite 100  
 Alexandria, VA 22314

CONFIRMATION NO. 1307

371 FORMALITIES LETTER



\*OC000000019824985\*

Date Mailed: 08/01/2006

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Priority Document
- Copy of the International Application filed on 09/30/2005
- Copy of the International Search Report filed on 09/30/2005
- Copy of IPE Report filed on 02/05/2001
- Oath or Declaration filed on 09/30/2005
- Request for Immediate Examination filed on 02/05/2001
- U.S. Basic National Fees filed on 09/30/2005
- Priority Documents filed on 02/05/2001

Applicant's response filed 09/30/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 03/09/2001 have not been completed.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$1310** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$1310** for a Large Entity:

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under**

**37 CFR 1.136(a).**

- Total additional claim fee(s) for this application is \$ **1310**
  - \$200 for 1 independent claims over 3.
  - \$750 for 15 total claims over 20.
  - \$360 for multiple dependent claim surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

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**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/762,163	PCT/GB99/02425	4002-006